

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mengmeng Fahrni on April 26, 2010.

The application has been amended as follows:

Claims 28-35, 37, and 51 are cancelled.

Claim 48 has been rejoined.

In lines 1-3 of claim 48, "contacting of the patient's fluids/tissues comprises implanting a prosthetic device comprising the surface capillary fibers." has been deleted and has been replaced with "the medical device is a prosthetic device."

In lines 1-2 of claim 57, "the surface capillary fibers comprises a polymer and" has been deleted.

2. The following is an examiner's statement of reasons for allowance: As to claim 20, the medical device having a plurality of surface capillary fibers where each of the surface capillary fibers comprises at least one capillary along its outer surface along at least a portion of the length of the surface capillary fiber and where a bioactive agent is pre-loaded and associated with the surface capillary fibers in addition to the other structural limitations of the device was not found in the prior art. As to claim 47, the

method of delivering a bioactive agent including the step of contacting a patient's body fluids/tissues with a plurality of surface capillary fibers where each of the surface capillary fibers comprises at least one capillary along its outer surface along at least a portion of the length of the surface capillary fiber and where a bioactive agent is pre-loaded and associated with the surface capillary fibers in addition to the other steps of the method was not found in the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BHISMA MEHTA whose telephone number is (571)272-3383. The examiner can normally be reached on Monday through Friday, 7:30 am to 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin Simons can be reached on 571-272-4965. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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